

## Interim Governance in Partial Democracies: El Salvador and Guatemala

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by [William D. Stanley](#)

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### Introduction

Long established military regimes in El Salvador and Guatemala collapsed in 1979 and 1982. These institutionalized military governments had failed to build broad legitimacy, and by the late 1970s, they faced growing public unrest, insurgencies, and declining elite support. They fell to coups led by junior officers who sought to renovate the political systems. In both countries, these coups set in motion complex transitions that went through multiple phases. The earliest phases of these transitions were undemocratic, with unconstitutional military or joint military-civilian interim governments that had tenuous claims on legitimacy. Within a decade, both juntas had been forced to cede power to domestic caretaker regimes, in a process that fit well with the analytical framework laid out by Yossi Shain and Juan Linz's work on interim regimes.<sup>[1]</sup> By the mid-1980s, both countries had elected constituent assemblies, and initiated controlled transitions to civilian governments elected under partially competitive conditions. These partially democratic governments faced ongoing insurgencies, serious challenges to their authority from the armed forces, and a general inability to effectively promote stability and the rule of law.

While mostly domestic affairs, these two interim regimes shed light on many of the issues under consideration in this special issue, and have interesting parallels to their internationally organized and managed cousins. At certain junctures, the international community exerted influence to keep these domestic processes on track, or found itself powerless to aid a faltering regime because domestic regulations prevented outsiders from wielding greater influence. These dynamics, discussed in this case study, reveal the delicate relationship between domestic and international politics, and demonstrate that even the most "domestic" interim regimes are, in fact, intimately connected to and influenced by international politics.

In the 1990s, United Nations-brokered peace talks provided a framework for a series of reforms in each country to open up political competition to the left, strengthen the rule of law, curb state abuses, and enhance the ability of the state to provide public goods. The interim governance period ended in 1994 in El Salvador and 1999 in Guatemala, with the first elections carried out under the new, more open political rules. While much work remained to be done in both countries, both were far more democratic—and more stable—than they had been at the beginning of the period. There were significant differences, however, between El Salvador and Guatemala in the

performance of their partially democratic governments through the peace processes and implementation. In brief, the Salvadoran government showed far more capacity to carry out its commitments and serve as an effective implementer of the democratizing project.

The paper will argue that partially democratic interim governments such as those in El Salvador and Guatemala have significant advantages over their illegitimate, unelected interim predecessors. The partially democratic governments generally demonstrated reasonable unity of purpose and coherence. They were not as heavily influenced by factional fights within the military. Many crucial constitutional issues were considered settled by all the parties. Such issues as the timing of elections were constitutionally mandated and thus not up for debate. Since constitutionally legitimate governments were in place, the scope for international intervention was necessarily limited to relatively soft and non-intrusive forms: there was no question of establishing an international trusteeship, with all of the accompanying political and practical liabilities.

These partially democratic interim governments also suffered important limitations, however: the effectiveness of implementation of new state institutions depended on the capacity and efficacy of the incumbent caretaker government.<sup>[2]</sup> There was little international actors could do if—as in Guatemala—the constitutionally legitimate local government made a hash of implementation. Prospects for long-lasting stability and good governance are dim where interim governments are weak, yet where a partially democratic, constitutional government is already in place, international actors lack a legitimate means of scaling up their involvement to compensate for the interim government's weaknesses.

This paper will look briefly at the early, undemocratic interim governments. It will then turn to the partially democratic interim governments that negotiated and implemented the peace accords, examining the impact of political institutions developed during the interim period, the strength and coherence of government and opposition political parties, the design of the peace processes themselves, and the role of international actors on the quality of governance and stability achieved. I will argue that these variables, in combination, account for the difference in performance between the Salvadoran and Guatemalan interim governments.

## **The Initial Phase: Military-Based Interim Governments**

In 1979 in El Salvador, reformist military officers formed a "Revolutionary Governing Junta" in partnership with a coalition of social democratic parties and reformist elements of the Catholic Church. Two months later, when the social democrats withdrew from government in protest over human rights violations, the army formed a new alliance with the Christian Democrats. This new junta ruled, with occasional internal reshuffling, until an interim government and constituent assembly were elected in 1982. A civilian president was elected in 1984 under the new constitution, with legislative elections following shortly after.

In Guatemala, there was less effort to incorporate civilian supporters: two consecutive *de facto* military governments ruled without significant civilian party support. The second of these allowed constituent assembly elections in 1984, and an elected civilian government took office in 1986. Transitions to limited, elected civilian rule based on legitimate constitutions were complete by the mid-1980s in both countries.

Neither of the initial, non-democratic interim governments was very effective, a factor driving these governments to hold elections fairly quickly and step aside. The reasons for their failures differed somewhat, however. In El Salvador, the Revolutionary Governing Juntas (JRJs) were deeply divided internally, between factions that favored deep reforms and democratization, and factions that favored a violently repressive strategy. I have argued elsewhere that the depth of internal divisions actually increased the severity of violence used by hard line factions against the general public, as hardliners sought to veto political compromise with the left. This intensified

state violence further radicalized the left, pushing thousands of members of non-violent popular organizations to join the nascent guerrilla forces. Killings were directed particularly against moderate members of the left who were actively seeking compromise solutions to the political crisis; by the end of 1980, most of the surviving moderates had fled the country, along with military officers whose reformist project had unraveled.[3]

Although the army/Christian Democratic JRG succeeded in implementing a limited land reform, this did not diminish the slide toward civil war, which began in earnest in January 1981. The newly inaugurated Reagan administration in Washington simultaneously strengthened U.S. military assistance, and began pressing for democratization. The administration viewed greater political legitimacy as a *sine qua non* for effective counterinsurgency; it also considered it essential for retaining the political support of the U.S. Congress for increased military assistance.[4] A second source of pressure for democratization was internal: conservative activists associated with the business community were alarmed by land expropriations carried out by the military/Christian Democratic junta, and sought opportunities to compete directly in elections in hopes of establishing a government more protective of private property.[5] The military ultimately agreed to this, and elections for an interim government and constituent assembly were held in 1982.

In Guatemala, the 1982 coup brought to power General Efraín Ríos Montt. Junior officers called Ríos out of retirement and invited him to take power in an effort to counteract what they saw as the extensive corruption and incompetence of much of the high command. This reflected the primary line of internal division in the military between the established, “institutionalist” leadership, and various wildcat groups—particularly junior officers who were actively involved in combat operations against the rebels. However corrupt the mainline officers were, Ríos Montt brought his own complications, including weekly broadcast sermons from the presidential house that blended Protestant evangelism and counter-terror in a way that did not enhance the government’s legitimacy in majority-Catholic Guatemala. He also earned very little international acceptance. Despite the comparative success of Ríos’ aggressive counterinsurgency strategies, establishment officers overthrew him after less than two years and then orchestrated a highly controlled transition to elected civilian rule. A significant push for a transition to civilian rule came from within the military: a growing current of senior officers viewed indefinite military government as damaging to the military institution, and likely to result in ongoing civil conflict. These same officers also expected to be able to control the transition, and any civilian government that resulted.[6]

Thus the *de-facto* governments that followed the collapse of established regimes in both El Salvador and Guatemala failed to achieve sustained legitimacy, capacity to govern, or stability. In line with the predictions of Shain and Linz, internal conflicts within these regimes contributed to instability, and their lack of constitutional standing undercut their claims for popular support. The Salvadoran junta’s policies actually accelerated the growth of insurgency, while Guatemalan *de facto* governments turned the tide against the insurgents through mass murder in the countryside. Neither government had any prospects for achieving lasting order and legitimacy, and so both created civilian governments to take over governance by the mid-1980s. It thus fell to successor civilian governments, elected from among parties from the political center and right, to continue the counterinsurgency efforts and eventually negotiate peace agreements that ended the civil conflicts through further democratization.

## Partially Democratic Interim Governments

The partial democracies established in the mid-1980s bore the responsibility of finding a durable political framework capable of definitively ending the civil conflicts. These included the presidential administrations of José Napoleón Duarte in El Salvador, and Vinicio Cerezo in Guatemala, both relatively conservative Christian Democrats who had reached a political accommodation with the armed forces. Unlike their *de facto* predecessors, each could claim

some measure of electoral mandate. Both governments were elected under the terms of liberal, individual-rights based constitutions.

Neither government succeeded in negotiating an end to the conflict. Duarte began negotiations with the Farabundo Martí National Liberation Front (FMLN), with little success. It fell to his successor, Alfredo Cristiani of the conservative National Republican Alliance (ARENA), to enter into United Nations-mediated talks, leading to final peace accords in early 1992. In Guatemala, Vinicio Cerezo was frequently threatened with military coups in the final stages of his presidency, and therefore was unable to take the risks associated with serious negotiations with his opponents. His successor, Jorge Serrano, began talks mediated by the Catholic Archbishop of Guatemala. Serrano's presidency collapsed after he sought to close down Congress and the Constitutional Court and rule by decree.

This incident ended up reinforcing Guatemalan liberal constitutional norms, as all sectors of society—including eventually the dominant leadership group in the military—rallied in support of constitutionality and forced Serrano to relinquish power. He was replaced by an interim administration led by former Human Rights Procurator Ramiro De León Carpio, who further advanced talks with the rebels. Finally, in 1995, Alvaro Arzú, representing the more modernized sectors of the business community, was elected president. Arzú brought the peace talks to fruition, with mediation from the UN, and bore the responsibility of implementing the agreements.

The period of partially democratic governance had numerous effects on the political system. As noted in the introductory paper to this special issue, sometimes the procedures of democracy yield positive long-term benefits, even if the short-term outcomes are not necessarily fully democratic. In Guatemala and El Salvador, these interim administrations built increased support for liberal democratic norms, even with the archconservative business communities that initially supported authoritarian solutions. During this period, habits of negotiation and compromise took root, and parties of the right, as well as nascent parties of the left, gained a degree of confidence in their own political viability in a competitive system.

Once United Nations-mediated negotiations got under way in each country, the governments and rebels quickly converged upon liberal norms as the basis for any peace settlement. Negotiations culminated in the 1990s with definitive peace agreements that ended the civil wars on the basis of reforms to open democratic competition to parties of the left, strengthen the rule of law, reduce repression, ensure civilian authority over militaries, and strengthen the capacity of the state to provide public goods. The following sections examine how the following factors shaped the outcome of partially democratic interim governance in El Salvador and Guatemala: inherited political institutions, civil-military relations, public safety challenges, ad-hoc representational schemes during peace implementation, the role of international actors, and political party formation.

## **Institutional Effects**

The legacy of military domination weighed heavily on the elected civilian governments that took power in the mid-1980s. A history of militarism and political exclusion helped give rise to the insurgencies in the first place, and in the context of civil war, the militaries in both countries expanded their resource bases and engaged in wholesale slaughter of suspected opponents, mainly non-combatant civilians. Government forces killed around 75,000 civilians in El Salvador, and around 200,000 in Guatemala. State violence in Guatemala was directed particularly against the indigenous population, in what the UN-sponsored Commission for Historical Clarification characterized as genocide.<sup>[7]</sup> Military forces enjoyed impunity for such violence, and civilian authorities had virtually no control over the military, particularly with respect to the activities of intelligence organizations. Military power extended to the local level in both countries through various paramilitary structures, but military social control was far more extensive in Guatemala.

Despite all this, the transition to partial democracy had important consequences. With constitutionally mandated, regularly scheduled elections, the timing of elections was not a matter of contention. The first postaccord elections in El Salvador occurred two years after the signing of the accords, and a full year after completion of military demobilization. This allowed sufficient time for the rebels to form a functional political party, and resulted in elections with a high degree of domestic credibility.<sup>[8]</sup> Post-war elections in Guatemala occurred almost 3 years after the final accords were signed, and more than 2 and a half years after final demobilization of rebel forces. This, too, was a sufficient interval to provide the left time to organize itself politically. Though ultimately the Guatemalan National Revolutionary Unity (URNG) won only a modest share of the vote, the results were generally accepted as correct and credible.

In El Salvador, the semi-autonomous Supreme Electoral Tribunal (TSE) proved to be a weak institutional link. By law, it consisted of representatives of the parties already represented in the Legislative Assembly. This would be a reasonable arrangement, except that the left, which constituted nearly half the electorate, had been violently excluded from the political system. The United Nations estimated that as of August 1993, some 768,000 voters (27 percent of eligible voters) lacked the required electoral documentation and were not on the voter rolls.<sup>[9]</sup> The incumbent parties in the legislature had little incentive to address this problem, since they anticipated that newly registered voters were likely to be disproportionately supporters of the FMLN. Not surprisingly, the TSE dragged its feet, and the parties used salaried positions in the TSE as ways to fund partisan activities rather than the work of the Tribunal.

It is here that the dynamic relationship between domestic and international processes in interim governance becomes important, even in these cases of interim administrations that seem to completely conform to the domestically-driven models created by Shain and Linz. In El Salvador, these problems with voter registration created a situation where the domestically-created electoral tribunal, biased by the powers that had created it, ran the risk of jeopardizing popular acceptance of the electoral process. Therefore, the UN observer mission (United Nations Observer Mission in El Salvador, or ONUSAL) began to do more than just monitor the situation; it intervened and assumed an active role in voter registration. In order to ensure that the left was not kept out of the electoral process, ONUSAL ensured that the TSE updated the voters' rolls. ONUSAL members picked up TSE employees at their homes, delivered them to their offices, provided generators and photocopy machines, and closely supervised their work. Some 200 UN civilian police were temporarily assigned to support this effort. While this approach generated some nationalist complaints from the government and TSE, it did result in much of the work getting done and a more than 50 percent reduction in the number of unregistered eligible voters.

Entrenched constitutional reform procedures in both countries also affected outcomes. In El Salvador, the 1983 constitution required any amendment to be approved by a majority of one legislative assembly, followed by a "qualified majority" (2/3) of the next legislative assembly.<sup>[10]</sup> This requirement, in combination with the electoral calendar, created a deadline for the government to accept proposed constitutional reforms during the negotiating process in 1991. Had the sitting Assembly in April 1991 not approved the negotiated constitutional reforms, implementation of terms negotiated in the peace process would have been delayed an additional three years. Faced with this constitutionally-imposed deadline, the government of Alfredo Cristiani of ARENA requested and obtained legislative approval of constitutional reforms that substantially reduced the political power of the armed forces, clarified and expanded elected civilian authority, and paved the way for important reforms to the judiciary. This accomplishment greatly increased the confidence of the FMLN rebels regarding Cristiani's intentions. It also demonstrated ARENA's political capacity to deliver on concessions made at the bargaining table.

In Guatemala, constitutional reform procedures were less auspicious. The constitution of 1985 required a popular referendum, in addition to legislative approval. Rather than allowing an up or down vote on the whole package of 50 constitutional reforms, a court ruling required the government to group the reforms into four ballot questions. To the chagrin of Guatemalans who



supported the reforms, as well as international observers, all four ballot questions were defeated by margins of roughly two to one, reflecting a particularly strong “no” vote in the capital city.<sup>[11]</sup> Turnout was only about 18 percent (21 percent in the capital), despite months of publicity and get-out-the-vote work, much of it funded by international donors. The defeat was attributable to at least two main factors:

- a powerful, expensive anti-reform publicity campaign during the final few weeks before the vote, which portrayed the reforms in a negative, almost apocalyptic light; and
- public ignorance regarding the content of the reforms, which were so complex as to be easily misunderstood. The defeat of the reforms in May 1999 halted implementation of much of the institutional transformation agreed to by the government and the rebels.

The separation of powers provided for in El Salvador’s constitution created difficulties for interim governance because it enabled the judiciary to reject out of hand any reforms that required the judicial or administrative cooperation of the court system. For example, when the UN Truth Commission for El Salvador called in 1993 for the removal of the head of the Supreme Court for his involvement in shielding human rights abusers, he responded that “only God” could remove him. Only after the post-1994 Legislative Assembly selected new members for the Supreme Court, following the new procedures, did the courts begin to cooperate in measures to improve human rights compliance and judicial performance.

## Civil-Military Relations

Since both peace accords required substantial changes to the organization, authority, and oversight of the military, the ability of the post-agreement governments to implement such changes was crucial to the credibility of the peace processes. In El Salvador, the military generally complied with the requirements of the accord regarding demobilization, though not completely of their own volition. While the military complied with the interim government in most aspects of demobilization and reform, when it came to leadership changes, the government had difficulty obtaining compliance. A provision of the Salvadoran accord was that an “Ad-Hoc Commission” would assess the records of military officers and identify which ones were unsuitable for military leadership in a democracy. Contrary to expectations, the Ad-Hoc Commission recommended removal of 102 officers, including the entire high command. Several top officers, including the minister and deputy minister of defense, refused to go.

As with the revision of the voters’ roll, the situation moved forward only in response to international pressure. Only after the UN Truth Commission for El Salvador named these and other top leaders as intellectual authors of a number of notorious human rights crimes, and the US made \$11 million in aid conditional on their departure, did the officers agree to retire.<sup>[12]</sup> Another misstep by the Cristiani government was its decision not to demobilize the existing Treasury Police and National Guard security forces. The language in the accord required their demobilization “as public security forces.” The government decided this left the door open to retaining these forces in other capacities, and renamed them Military Police and Border Guards, respectively. This was clearly at odds with the spirit of the accords, and generated a brief but intense crisis that was resolved by UN mediation and the government’s agreement to demobilize those forces.

In Guatemala, the accords were less demanding of the military, and the Guatemalan military got ahead on most issues by demobilizing its extensive paramilitary network before it was required, and carrying out an autonomous purge of the officer corps. This reflected the military’s comparatively robust political standing with the country’s civilian elites. Having effectively defeated the guerrillas, the Guatemalan forces were not prepared to allow the degree of civilian supremacy achieved in El Salvador. Despite strong popular demand for accountability for the extreme human rights abuses committed during the conflict, Guatemalan officers were hard-set

against any accountability mechanism analogous to the Salvadoran “ad hoc commission” process. For reasons that I explain further below, the civilian governments that implemented the peace process lacked the political strength and coherence to challenge the military on this point, even after the UN-sponsored Historical Clarification (truth) Commission for Guatemala declared that the military had committed genocide.<sup>[13]</sup>

The most substantively and symbolically important military issue in Guatemala was the demobilization of a military intelligence organization called the Presidential General Staff (Estado Mayor Presidencial—EMP) that ostensibly served the presidency but in practice served as a mechanism by which the military controlled civilian presidents. The EMP was notorious for death squad operations as well. The government of Alvaro Arzú proved unable or unwilling to shut down the EMP, and this was belatedly accomplished, under significant civil society pressure, by his successor Alfonso Portillo.

## Public Security and Illegal Armed Groups

A central challenge for both interim governments was provision of public security. On one hand, both El Salvador and Guatemala committed to creating new civilian-controlled police forces. These were crucial to reassuring ex-rebels—particularly those in El Salvador—that they would not be persecuted in the future. The doctrine and composition of the new National Civilian Police (PNC) in El Salvador were explicitly designed to ensure the organization’s apolitical nature.<sup>[14]</sup> On the other hand, crime waves are typical in post-civil war settings, and both governments were under public pressure to protect the public during the transition to the new force.

The governments followed contrasting strategies: one built a new police force from scratch, while the other folded elements of the old security regime into a “new” organization. Both paths had their pros and cons, though for the prospects of democratization and stability, creating the police force anew seems to create better prospects for building a police force that respects basic human rights. The trick is for the regime to outlast the worsened security situation while the police force is learning how to operate.

The Salvadoran regime initially dragged its feet, but ultimately built a completely new police force that eventually performed relatively well and generally upheld human rights. Transitional security was grossly inadequate, however, and a significant crime wave resulted that was not stemmed until 1996. Rampant crime undermined initial public confidence in the PNC and tarnished public views of the peace process in general.<sup>[15]</sup> During the early deployment of the PNC, ONUSAL CIVPOL officers sometimes crossed the line from observers to active law enforcement agents, though they lacked legal standing to play such a role. This was a poor substitute for a systematic and adequate transitional security plan.

In contrast, the Arzú government in Guatemala followed an expedient path of folding virtually the entire existing police force into the new PNC, and placing the expanded force under the exclusive command of former officers from the old police force. Careless recruitment, selection, and training, combined with weak management and oversight mechanisms, resulted in a police force that was large, but neither effective nor respectful of human rights. The UN verification mission, MINUGUA, had only a small number of advisors involved in the police development project, and had relatively little capacity to influence government policy on this issue. Arzú’s expedient approach deferred the creation of a post-war security vacuum until much later in the decade, with a major crime wave peaking in 2003. Given the many defects of the “new” PNC, long-term prospects for effective and democratic policing are dim.<sup>[16]</sup> In sum, neither government handled its police reform and public security duties very well, though in the long run the Salvadoran approach appears to have been better, despite the medium term security problems.<sup>[17]</sup>

The issue of public security extended far beyond that of establishing civilian control over the military and building a credible and capable police force. The end of the wars had left behind various networks of military intelligence, former military, private death squads, and former rebel clandestine groups that devoted themselves principally to pecuniary criminal activities such as smuggling, extortion, narcotics trafficking, car theft, illegal logging, and kidnapping for ransom.

These same networks also seemed to involve themselves in politically motivated murders and threats, and were thus capable of derailing the fragile peace processes in both countries. In Guatemala, illegal armed groups directed violence and threats particularly against civil-society organizations promoting accountability for past human rights crimes. A surge of suspicious killings in 1993 in El Salvador seemed to threaten the peaceful climate needed for the 1994 elections. The government agreed to formation of a “Joint Group for the Investigation of Illegal Armed Groups with Political Motivation” comprising Salvadoran and international police investigators, under the administrative auspices of the UN Development Program (UNDP). Though it produced little real accountability, the Joint Group’s investigative efforts suppressed violent activities during the electoral season, resulting in an overall decline in violence during the campaign. The even more severe problems in Guatemala eluded solution. The first post-transition government (Alfonso Portillo) agreed to the formation of a similar joint investigative commission, but various legal obstacles prevented implementation. Coercive criminal networks referred to as “hidden powers” or “parallel powers” continue to be very influential and fundamentally undercut the legitimacy of the Guatemalan state.<sup>[18]</sup>

## Ad-Hoc Representational Schemes

The Salvadoran peace accords created a National Commission for the Consolidation of Peace (COPAZ) that consisted of two members each from the government and the FMLN, as well as one from each of the political parties in the National Assembly. COPAZ was to oversee the implementation of the peace process (implying dispute resolution authority), draft legislation for review by the Assembly, and nominate individuals for key posts such as the director of the PNC. COPAZ did not have executive powers, which remained with the government (and the FMLN for those issues where it had independent capacity to act, such as demobilization or provision of information). Unfortunately, the composition of COPAZ resulted in deadlock and ineffectiveness. Equal numbers of parties from the legislature voted in support of ARENA and the FMLN, resulting in stalemate on crucial issues. This diminished COPAZ’s role and increased the importance of the UN’s verification and mediation role.<sup>[19]</sup>

In retrospect, it might have been a good idea for COPAZ, or something like it, to have a voice in reconstruction efforts. The government formed a National Reconstruction Secretariat, and developed a comprehensive reconstruction plan that attracted nearly \$1 billion in foreign commitments. In practice, these monies were often spent in partisan ways rather than responding to greatest needs or greatest potential returns on investment. The opposition had no direct say in how funds were spent, so that international donors ultimately became the mechanism for representing the interests of the FMLN.<sup>[20]</sup>

In Guatemala, an Accompaniment Commission was established with functions vaguely similar to COPAZ. It was composed of two representatives each from the government and the URNG, four notable citizens, a single representative of Congress, and the chief of the United Nations Verification Mission in Guatemala (MINUGUA - with voice, but without vote). Its role was to analyze the difficulties and obstacles encountered in the application of the timetable, review legal proposals before they went to Congress, establish calendars for implementing various commitments under the accords, raise funds, and report concerns to MINUGUA. Though sometimes useful, the committee’s effectiveness was limited by lack of staff, and by the very limited claims of the four “notable citizens” to represent anyone other than themselves.<sup>[21]</sup>



Perhaps more central to peace implementation in Guatemala were dozens of civil society commissions charged with fleshing out the sometimes very vague commitments of the peace accords on such issues as educational reforms, judicial reform, official multilingualism, and multiculturalism. These commissions resulted in intense public debate and broadened participation in discussions on public policy issues. Some of them produced valuable recommendations for concrete reforms, as well as difficult compromises on questions such as what indigenous languages the government should prioritize when making services available in multiple languages. Ultimately, the commissions lacked legislative and executive authority, and few of their recommendations have been implemented. This raises the question of whether the effort that various civil society groups—particularly from the Mayan community—put into these commissions ultimately benefited democratic development or simply produced greater frustration and cynicism. The sheer number of different commissions, and the delegation of so many agenda-setting tasks to them, tended to dilute and distract from the government's responsibility to comply with its commitments under the accords.<sup>[22]</sup>

## The International Role

Neither case involved the kind and extent of international intervention that would pose a risk of undermining the legitimacy of national governments. United Nations verification missions were the international keystones in both peace processes. These missions, ONUSAL in El Salvador and MINUGUA in Guatemala, were of course subject to occasional criticism. Rightwing commentators in El Salvador characterized the UN mission as the “white plague” (in reference to the white UN vehicles), and indiscretions by UN staff received a great deal of publicity. As the UN prepared to leave El Salvador, a local newspaper ran a cartoon of a mother in an apron (representing ONUSAL) keeping two squabbling kids (ARENA and FMLN) from fighting. Attitudes toward the UN in Guatemala were somewhat more menacing, and had a sharper and more nationalistic tone. Nonetheless, neither mission entered into open political conflict with local parties.

Of the two, ONUSAL played a more assertive role, and assumed more direct duties with respect to voter registration and public security (hence moving itself beyond the strict “observer” mandate, as observers traditionally record events, and do not actively intervene to affect processes). Overall, ONUSAL was highly effective in its mix of ongoing mediation, authoritative interpretation of the accords, verification and forceful criticism of the parties for non-compliance, and coaching and field training of new governmental institutions. While not interventionist in comparison with missions in more troubled cases such as Cambodia, ONUSAL was active, politically high profile, and sufficiently strong to generally defend the interests of the ex-rebels during the transition. ONUSAL was strongly supported by senior, New York based senior UN officials who periodically visited El Salvador and brought to bear the political influence of the Security Council. In cases where the FMLN had agreed to tolerate government violations of the accords in exchange for concessions it was interested in, the UN took principled positions insisting on compliance with the letter of the accords. That it generally succeeded is indicative of the political clout of the UN mission.

In contrast, MINUGUA was hampered by a more prolonged pre-peace deployment as a human rights-only mission; by its status as a General Assembly mission lacking Security Council involvement; by the very vague, unverifiable requirements of the peace accords; and by the weakness of the Guatemalan parties, who showed very limited capacity to implement what was promised. MINUGUA may also have been hampered by the fact that the chief of mission had earlier been the lead mediator/negotiator on behalf of the UN. It proved difficult to shift from the confidence-building role of mediator to the more confrontational role of verifier. In the wake of difficult cases such as Somalia and Bosnia, the UN was under considerable political pressure to have a success in Guatemala, which provided disincentives for political confrontations with the government. In interviews, MINUGUA staff expressed frustration with the mission's very diplomatic positions on obvious and grave violations of the accords by the government.

MINUGUA introduced some effective innovations. It operated on a shoestring and drew heavily on UN Volunteers for lower level staffing, an experiment that was generally successful. It began early on to focus on institution building, in contrast to ONUSAL where capacity building began too late and some displacement of local institutions took place. Unfortunately, MINUGUA's institution-building strategy met with limited success, because of the combined weakness and lack of commitment by the government in key areas such as police, judicial, military, and intelligence reform.<sup>[23]</sup>

MINUGUA benefited from a high degree of consensus between the mission and the international financial institutions regarding the need to increase taxation and government expenditures. Whereas in El Salvador, the peace mission and the international financial institutions (IFIs) had clashed over the priorities of peacemaking and structural adjustment, Guatemala's state was so clearly too small to meet public social needs that the usually austere World Bank, IMF, and IDB agreed on the need to tax and spend. Unfortunately, the Arzú administration lacked the will or capacity to follow through on raising taxes. Faced with relatively minor opposition and a few demonstrations, Arzú withdrew a measure that would have begun the process of increasing state revenues. Thus one of the few objective, quantifiable, and verifiable government commitments in the peace accords went unimplemented.

## Party Formation and Political Capacity

Whatever the differences in the specificity of the accords, or the strength of the international missions, the decisive difference between the two cases was the political capacity of the incumbent governments. Both transitional governments were based on conservative civilian parties with close ties to the business community. Both governments accepted the necessity of liberalized democratic political rules that incorporated the left. But the Salvadoran government showed much greater capacity to deliver on promises and commitments, while the Guatemalan government faltered.

By the time Alfredo Cristiani was elected to the presidency in 1990, the ARENA party in El Salvador had eight years of experience in electoral competition. It had transformed itself from little more than a terrorist organization into a party with a broad political following, a clear and coherent agenda, strong electoral skills, legislative experience, and a measure of international acceptance. The US had played a crucial role in shaping the development of ARENA. When ARENA party president and reputed death squad leader Roberto D'Aubuisson was positioned to become provisional president of the republic following constituent assembly elections in 1982, the U.S. intervened to prevent his ascent. In the lead-up to presidential elections of 1984, the Reagan administration provided major funding to ARENA's main opponent, the Christian Democrats. Meanwhile, the US invested heavily in a private-sector think tank called the Salvadoran Foundation for Economic and Social Development (FUSADES) whose mission was to develop a coherent social market program of governance, and serve as an ideological incubator for a more moderate, constructively neo-liberal ARENA party. Faced with US obstruction, and provided (indirectly) with assistance in developing a modernizing, economically neo-liberal and politically liberal, ARENA transformed itself in the late 1980s into a credible, business oriented party capable of attracting a broad base. D'Aubuisson stepped into the background, and Alfredo Cristiani, representing the most successful economic sectors, emerged as the dominant party leader and presidential candidate.

It was on this foundation of party formation, moderation, and capacity building that ARENA was able to negotiate an agreement that substantially curbed the power of its erstwhile ally, the military, and subsequently implemented most of what the agreements required. The party's internal discipline, and its strong electoral credibility, enabled it to prevail against the military as well as against various reactionary sectors that opposed implementation of portions of the accords.

In contrast, the National Advance Party (PAN) in Guatemala was a comparatively recent party. It represented some of the more modernized and transnational segments of the business community, but faced strong competition from the Guatemalan Republican Front (FRG), which competed for votes from traditional conservative constituencies, including portions of the business and commercial agriculture sectors, Ladino small holders, urban middle classes, and indigenous communities in some rural areas. As a recent contender for power, the PAN had not worked out its internal differences. After winning narrowly in the 1995 elections, PAN had sufficient coherence and clout to negotiate the final accords with the weakened URNG, but then proved unable to deliver majority votes for tax increases and early approval of constitutional reforms. The PAN executive failed to maintain clear civilian authority with respect to the armed forces.

PAN's weakness is illustrated by its electoral defeat in 1999, which put into office Alfonso Portillo of the FRG. Portillo's administration degenerated into extensive criminality and corruption, and made little further progress on the many unfulfilled elements of the peace accords. The FRG administration was so damaging to the country that deep pockets in the business community engaged in a new round of efforts at party building in the run up to elections in late 2003. Most of the money went into a new coalition known as the Great National Alliance (GANA); other funds went to the National Unity for Hope (UNE). GANA won the 2003 presidential elections, but failed to achieve a legislative majority.<sup>[24]</sup> Whether GANA will develop a sustained capacity to govern remains to be seen.

## Conclusions

The early phases of the Salvadoran and Guatemalan transitions illustrate the challenges facing *de facto* governments overseeing transitions from one regime type to another. The juntas in El Salvador and the military governments in Guatemala had no basis in constitutional procedures and were patently illegitimate in the eyes of much of the public. While the Salvadoran juntas initially put forward a vision of socio-economic reform and moderation, this quickly wore thin and lost credibility as the military and intelligence services systematically murdered many of the ostensible beneficiaries of these reforms. Moreover, the tactical alliance between the military and the Christian Democrats was strained from the start. The Guatemalan governments of Ríos Montt and General Oscar Humberto Mejía Victores had little in the way of liberalizing vision, faced increasing international isolation, and had no capacity to move toward sustainable governance without first permitting a transition to civilian rule.

Even after partial transitions to democracy, neither of the successor civilian governments achieved full legitimacy, capacity to govern the national territory, or stability. The obvious role of the military as a parallel power at the national level—and in some cases as the only *de facto* authority at the local level—undercut legitimacy. The internal instability of the military, particularly in Guatemala, and its very tenuous deference to civilian authority, created a constant risk of coups. While the Guatemalan military's counterinsurgency campaign was so effective as to prevent the URNG from seriously threatening the state in the latter stages of the conflict, the military was nonetheless unable to eradicate the URNG from many areas of the country. Only a political settlement ultimately made that possible.

Partial democracies have obvious advantages as interim governments. Where the incumbent regime has a degree of domestic political legitimacy, the scope for international involvement is likely to be more limited.<sup>[25]</sup> They also have certain benefits that the neo-trustee variants of interim regimes, those governed almost exclusively by the international community, cannot approximate. Issues of sovereignty and international legal authority are less likely to arise; there is also less risk that international missions will create dependency or undercut the legitimacy of successor governments and institutions.

There is a downside to such domestic legitimacy, however. Whereas internationalized interim governments can scale their capacity up or down in accordance with need (and the degree of commitment of member states), in cases where a partially democratic government is in place, the international community depends almost entirely on the capacity of the local state and regime. International missions may substitute for inadequate state capacity in limited ways or force interim administrations to fully comply with peace accords (as ONUSAL did in El Salvador), but the overall outcome of the transformation of the political system depends on local state capacity.

The Guatemala/El Salvador comparison illustrates this clearly: the failure to implement much of the peace accords in Guatemala was largely attributable to shortcomings of the incumbent administration, as well as the weakness of the state apparatus itself. Even though international missions in Guatemala emphasized institution building and benefited in this regard from lessons learned in Nicaragua and El Salvador, they could not overcome the obstacles presented by the domestic political system.

Moreover, some democratic institutions are more conducive to effective interim governance than others. The Guatemala case suggests that procedures requiring direct referenda to accomplish constitutional reform are vulnerable to manipulation, particularly in countries with high levels of illiteracy and political ignorance. The Guatemalan government's difficulties in carrying out military reforms suggest that the pre-existing balance of power between civilian and military authorities is crucial as well.

The El Salvador/Guatemala comparison suggests that interim governance is likely to be more effective where the parties making up the governing coalition have accumulated some years of political experience, or have at least achieved a measure of party discipline and coherence. The United States' prolonged effort to shape and moderate ARENA paid off in an interim government with impressive political capacity, while the lack of such a long-term party-building experience in Guatemala crippled that peace process. International actors assisting a partially democratic interim government face real dilemmas if the local government proves to be incoherent. There will be little legal and political latitude for taking over deficient government functions. As a practical matter, international missions may be able to do little more than to sit back and watch the interim government stumble.

## About the Author

Bill Stanley is Associate Professor of Political Science at the University of New Mexico. Stanley received his PhD from the Massachusetts Institute of Technology in 1991. His first book, *The Protection Racket State: Elite Politics, Military Extortion, and Civil War in El Salvador*, was published by Temple University Press in 1996.

Recent works include articles and chapters on peacekeeping mission strategy; civil war resolution; policing, public safety, and justice reform in post-conflict societies; and the role of factional politics in episodes of extreme violence by states. He is currently writing a comparative book on civil war settlements in Central America, and his research has focused on political violence by states, military politics, police and judicial reform, and peacekeeping and democracy promotion in cases of internal conflict.

Stanley served as Interim Director of the Latin American and Iberian Institute at UNM from July 2001 to June 2004, and received the UNM Regents' Lecturer Award, 2004-2007.

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8. By fortuitous coincidence, in the 1994 elections all levels of government were in play, including the presidency, legislative assembly, and municipal offices, thus the former opposition was able to thoroughly test its electoral appeal.
  9. Ian Johnstone, *Rights and Reconciliation in El Salvador* (Boulder: Lynne Rienner, 1995), 52, cited in Charles T. Call, "Assessing El Salvador's Transition from Civil War to Peace," in Stephen John Stedman, Donald Rothchild, and Elizabeth Cousens, eds., *Ending Civil Wars: The Implementation of Peace Agreements*, (Boulder: Lynne Rienner, 2002).
  10. *Constitución de la República 1983, Reformas de 1991/1992*, Title IX, Art. 248, p. 95-6.
  11. If one discounts the capital city vote, two of the four ballot questions (those related to social and cultural rights, and the reform of the judiciary) would have passed.
  12. Charles Call, "[Assessing El Salvador's Transitions from Civil War to Peace](#)," in Stephen John Stedman, Donald Rothchild, and Elizabeth Cousens, eds., *Ending Civil Wars: The Implementation of Peace Agreements* (Boulder: Lynne Rienner, 2002), 383-420.
  13. Commission for Historical Clarification, [\*Op. Cit.\*](#)



14. The initial composition of the PNC was to be 20 percent ex-FMLN, 20 percent ex-National Police, and 60 percent civilians with no prior involvement in the armed conflict. Educational requirements were comparatively high, and doctrine, training, and oversight mechanisms made systematic politically-motivated abuses by the PNC very unlikely.
15. See Charles T. Call, "El Salvador: The Mugging of a Success Story," in Charles T. Call, ed., *Constructing Justice and Security After Civil Wars* (Washington, D.C.: USIP Press, forthcoming).
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17. The UN was largely responsible for designing the interim security model for El Salvador, which involved retention of the old National Police (about 6,000) under UN supervision. In retrospect, this was clearly an insufficient force for a country of 6 million people and high levels of violent crime. Moreover, the peace accord language, largely crafted by UN advisors, had the PNC assume full responsibility for security at the national level with a force of 5,900. Later governments more than tripled this number, and that finally produced a nearly adequate force size.
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22. *Ibid.*
23. This discussion of the two missions is, of course, extremely compressed. Co-authors and I have treated these questions at length in the following papers: William Stanley and Mark Peceny, "[Liberal Social Reconstruction and the Resolution of Civil Wars in Central America](#)," *International Organization* 55, no. 1 (Winter 2001): 149-182; William Stanley and David Holiday, "Peace Mission Strategy and Domestic Actors: United Nations Mediation, Verification and Institution Building in El Salvador," *International Peacekeeping* 4, no. 2 (Summer 1997): 22-49; David Holiday and William Stanley, "Under the Best of Circumstances: ONUSAL and the Challenges of Verification and Institution-building in El Salvador," in *Peacemaking and Democratization in the Western Hemisphere*, ed., Tommie Sue Montgomery (Coral Gables, FL: North-South Center Press at the University of Miami, 2000), 37-65.
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25. This obviously excludes cases, such as Iraq, where a massive and intrusive international involvement precedes the installation of a partially democratic interim government. I am referring

here to cases where a partially democratic government is in place before a major transition begins. Cases in this category are limited to El Salvador, Nicaragua, and Guatemala.

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